

United States Bankruptcy Court
Eastern District of New YorkPersonal Communications Devices, LLC,
Plaintiff

Adv. Proc. No. 13-08173-ast

Christopher,
Defendant**CERTIFICATE OF NOTICE**

District/off: 0207-8

User: dcorsini
Form ID: pdf000Page 1 of 1
Total Noticed: 8

Date Rcvd: Dec 09, 2013

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 11, 2013.

aty +Alan E. Marder, Meyer, Suozzi, English & Klein, P.C., 990 Stewart Avenue, Suite 300,
PO Box 9194, Garden City, NY 11530-9194

aty +Christopher Michael Egleson, Akin Gump Strauss Hauer & Feld LLP, One Bryant Park,
New York,, NY 10036-6728

aty +Jessica Lee Oliff, Akin Gump Strauss Hauer & Feld LLP, One Bryant Park,
New York, NY 10036-6728

aty +John O Farley, Goodwin Procter LLP, 620 Eighth Avenue, New York, NY 10018-1618

aty +Jordan D Weiss, Goodwin Procter LLP, 620 Eight Ave, New York, NY 10018-1618

aty +Richard Francis Harrison, Westerman Ball Ederer Miller & Shafstein, 170 Old Country Road,
Suite 400, Mineola, NY 11501-4311

aty +Richard Richard Strassberg, Goodwin Procter, LLP, The New York Times Building,
620 Eight Avenue, New York,, NY 10018-1618

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
ust +E-mail/Text: ustpreion02.li.ecf@usdoj.gov Dec 09 2013 18:08:55 United States Trustee,
Long Island Federal Courthouse, 560 Federal Plaza - Room 560, Central Islip, NY 11722-4456
TOTAL: 1

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cd Pinebridge Direct Investments, LLC fka AIG Direct

cd Pinebridge Global Investments, LLC fka AIG Global

aty* +Alan E. Marder, Meyer, Suozzi, English & Klein, P.C., 990 Stewart Avenue, Suite 300,
PO Box 9194, Garden City, NY 11530-9194

aty* +Richard Francis Harrison, Westerman Ball Ederer Miller & Shafstein, 170 Old Country Road,
Suite 400, Mineola, NY 11501-4311

TOTALS: 2, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 11, 2013

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 9, 2013 at the address(es) listed below:

Gerard S Catalanello on behalf of Counter-Claimant Philip Christopher
gcatalanello@duanemorris.com
Gerard S Catalanello on behalf of Defendant Philip Christopher gcatalanello@duanemorris.com
TOTAL: 2

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In re:

PERSONAL COMMUNICATIONS DEVICES,
LLC, et al.,

Debtors.

PERSONAL COMMUNICATIONS
DEVICES, LLC,

Plaintiff,

v.

PHILIP CHRISTOPHER and KOSTAS
KASTAMONITIS,

Defendants,

v.

JONATHAN STEARNS, PINEBRIDGE
DIRECT INVESTMENTS LLC, PINEBRIDGE
GLOBAL INVESTMENTS, and PINEBRIDGE
INVESTMENTS LLC,

Third-Party Defendants.

Chapter 11
(Jointly Administered)

Case No. 13-74303 (AST)

Adv. Pro. No. 13-08173 (AST)

**STIPULATION AND AGREED ORDER
SCHEDULING HEARING AND ESTABLISHING BRIEFING
SCHEDULE REGARDING MOTION FOR REMAND PURSUANT TO
28 U.S.C. § 1452(b) AND RULES 9027(d) AND 9014 OF THE FEDERAL
RULES OF BANKRUPTCY PROCEDURE, AND RELATED RELIEF**

This agreed order (the “**Scheduling Order**”) regarding the scheduling of a hearing and establishment of a briefing schedule regarding the *Motion for Remand Pursuant to 28 U.S.C. § 1452(b) and Rules 9027(d) and 9014 of the Federal Rules of Bankruptcy Procedure*, and related relief, is made as of the date below, by and between defendant, counterclaimant and third-party plaintiff Philip Christopher (“**Christopher**”), plaintiff Personal Communications Devices, LLC (“**PCD**”), defendant Kostas Kastamonitis (“**Kastamonitis**”), third party defendant Jonathan Stearns (“**Stearns**”) and third party defendants PineBridge Direct Investments LLC, PineBridge

Global Investments LLC and PineBridge Investments LLC (collectively, “**PineBridge**”) (Christopher, PCD, Kastamonitis, Stearns and PineBridge are collectively referred to herein as the “**Parties**”).

RECITALS

WHEREAS on September 27, 2012, PCD commenced an action against Christopher and Kastamonitis in the Supreme Court of the State of New York, County of Suffolk, [Index No. 30060/12] (the “**State Court Action**”);

WHEREAS, PCD’s initial complaint was amended on two separate occasions, most recently by the filing of PCD’s *Second Amended Complaint* on April 10, 2013;

WHEREAS, on June 21, 2013, Christopher filed his *Amended Answer, Affirmative Defenses and Counterclaims* in the State Court Action;

WHEREAS, before PCD or PineBridge filed their respective answers to Christopher’s counterclaims, on August 19, 2013, PCD and its holding company, Personal Communications Devices Holdings, LLC (collectively, the “**Debtors**”) commenced their chapter 11 bankruptcy cases in this Court;

WHEREAS, on September 18, 2013, PineBridge filed a *Notice of Removal*, removing the State Court Action to the United States District Court for the Eastern District of New York (the “**District Court**”) on the ground that it is “related to” the Debtors’ chapter 11 cases;

WHEREAS, this matter was then referred to this Court from the District Court, by way of an order entered by the District Court on October 23, 2013;

WHEREAS on October 28, 2013, Christopher filed the *Motion of Defendant, Counterclaimant and Third-Party Plaintiff Philip Christopher for Remand Pursuant to 28 U.S.C. § 1452(b) and Rules 9027(d) and 9014 of the Federal Rules of Bankruptcy Procedure* (the “**Remand Motion**”) [Dkt. No. 2];

WHEREAS a hearing on the Remand Motion was initially scheduled for December 9, 2013 at 10:00 a.m.; and

WHEREAS prior to the scheduled hearing date, the Parties agreed to enter into the within Scheduling Order, which provides for a rescheduled hearing date regarding the Remand Motion, and establishes a briefing schedule regarding all objections to the Remand Motion, if any, Christopher's response thereto, as well as a deadline for all third party defendants to file their respective answers, in the event the Remand Motion is denied.

NOW THEREFORE, the Parties hereby stipulate and agree as follows:

1. The deadline for PineBridge, PCD, Kastamonitis, and/or Stearns to file opposition and/or other responsive pleadings, if any, with respect to the Remand Motion (the "**Responses**") shall be filed and served no later than **January 8, 2014**.

2. Christopher's reply, if any, to the Responses (the "**Christopher Reply**"), if any, shall be filed and served no later than **January 15, 2014**.

3. The hearing to consider the Remand Motion, Responses and the Christopher Reply shall be held on **January 27, 2014 at 11:00 a.m.**, in Courtroom 2554 of the United States Bankruptcy Court for the Eastern District of New York, 271 Cadman Plaza East, Brooklyn, New York 11201.

4. The time for PCD, Stearns and PineBridge to answer, move against, or otherwise respond to Christopher's *Amended Answer, Affirmative Defenses and Counterclaims* is extended through and until the later of **(i) February 22, 2014, or (ii) twenty (20) days from the date of entry of an order adjudicating the Remand Motion**.

Agreed to and accepted:

Dated: New York, New York
November 26, 2013

DUANE MORRIS LLP

By: /s/ Gerard S. Catalanello
Gerard S. Catalanello

1540 Broadway
New York, NY 10036-4086
Telephone: 212.692.1000
Fax: 212.692.1020
gcatalanello@duanemorris.com

*Attorneys for Defendant, Counterclaimant and
Third-Party Plaintiff, Philip Christopher*

Dated: New York, New York.
November 26, 2013

GOODWIN PROCTER LLP

By: /s/ Jordan D. Weiss
John O. Farley
Richard Strassberg
Jordan D. Weiss

620 Eighth Avenue
New York, NY 10018
Telephone: 212.813.8800
Fax: 212.355.3333
jfarley@goodwinprocter.com
rstrassberg@goodwinprocter.com
jweiss@goodwinprocter.com

*Attorneys for Plaintiff,
Personal Communications Devices, LLC*

Dated: Uniondale, New York.
November 22, 2013

**WESTERMAN BALL EDERER MILLER
& SHAFSTEIN**

By: /s/ Richard Francis Harrison
Richard Francis Harrison

1201 RXR Plaza
Uniondale, NY 11556
Telephone: 516.622.9200
Fax: 516.622.9212
rharrison@westermanllp.com

Attorneys for Defendant, Kostas Kastamonitis

Dated: New York, New York.
November 22, 2013

**COHEN TAUBER SPIEVACK
& WAGNER P.C.**

By: /s/ Stephen Wagner
Stephen Wagner

420 Lexington Avenue
Suite 2400
New York, NY 10170
Telephone: 212.586.5800
Fax: 212.586.5095
swagner@ctswlaw.com

*Attorneys for Third Party Defendant,
Jonathan Stearns*

Dated: New York, New York.
November 25, 2013

AKIN GUMP STRAUSS HAUER & FELD LLP


By: /s/ Nancy Chung
Nancy Chung
Christopher Michael Egleson
Jessica Lee Oliff

One Bryant Park
New York, NY 10036
Telephone: 212.872.1000
Fax: 202.872.1002
cegleson@akingump.com
nchung@akingump.com
joliff@akingump.com

*Attorneys for PineBridge Direct Investments LLC,
PineBridge Global Investments and PineBridge
Investments LLC*

Dated: December 9, 2013
Central Islip, New York




Alan S. Trust
United States Bankruptcy Judge